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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL AND
REQUEST FOR EXTENSION OF
TIME
PURSUANT TO 37 C.F.R. §
1.136(a)**

Docket Number:
11245/46604

Application Number
09/840,146

Filing Date
April 24, 2001

Examiner
Anne L. Holleran

Art Unit
1642

Confirmation No.
5311

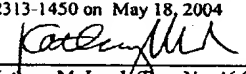
Invention Title
**TREATMENT OF REFRACTORY
HUMAN TUMORS WITH EPIDERMAL
GROWTH FACTOR RECEPTOR
ANTAGONISTS**

Inventor(s)
Harlan W. WAKSAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail in an
envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450 on May 18, 2004

By: 
Kathryn M. Lumb (Reg. No. 46,885)

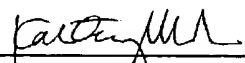
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of
the Examiner made in the Office Action dated November 18, 2003 rejecting claims 36-47, 51-58, 73-76
and 126-138.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of
Appeal fee of \$330.00 to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
The Commissioner is also authorized to charge any additional fees or credit any overpayment in
connection with this paper to Deposit Account No. 11-0600.

Applicants respectfully request a **three-month** extension of time in which to respond to the Office
Action mailed November 18, 2003, for which a three month response period expiring on February 18,
2004 was set. The three-month extended period expires on May 18, 2004. The Commissioner is hereby
authorized to charge the **three-month extension fee of \$950.00**, and any additional fees that may be
required, or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number
11-0600. A duplicate copy of this form is enclosed for charging purposes.

Dated: May 18, 2004

By:


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